

**CHAPTER 751—TRAINING GENERALLY**

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**Editorial Notes****AMENDMENTS**

2019—Pub. L. 116-92, div. A, title V, § 553(a)(2), Dec. 20, 2019, 133 Stat. 1387, added item 7422.

2018—Pub. L. 115-232, div. A, title VIII, § 808(e)(3), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 401 of this title as this chapter and items 4301 to 4321 as 7401 to 7421, respectively.

2017—Pub. L. 115-91, div. A, title X, § 1051(a)(27)(B), Dec. 12, 2017, 131 Stat. 1562, struck out item 4316 “Reporting requirements”.

2008—Pub. L. 110-417, [div. A], title V, § 543(c)(2), (d)(2), Oct. 14, 2008, 122 Stat. 4459, 4460, added items 4314 and 4321 and struck out former items 4314 “United States Army Command and General Staff College degree” and 4321 “United States Army War College: master of strategic studies degree”.

1999—Pub. L. 106-65, div. A, title V, § 542(b), Oct. 5, 1999, 113 Stat. 607, added item 4321.

1998—Pub. L. 105-261, div. A, title V, §§ 521(a)(2), 522(a)(2), Oct. 17, 1998, 112 Stat. 2010, 2012, added items 4319 and 4320.

Pub. L. 105-225, § 6(b), Aug. 12, 1998, 112 Stat. 1499, repealed items 4312 “National rifle and pistol matches: small-arms firing school” and 4313 “National Matches and small-arms school: expenses”.

1997—Pub. L. 105-85, div. A, title V, § 557(a)(2), Nov. 18, 1997, 111 Stat. 1750, added item 4318.

1996—Pub. L. 104-106, div. A, title V, § 562(a)(2), title XVI, § 1624(a)(2), Feb. 10, 1996, 110 Stat. 324, 522, added item 4303 and struck out items 4307 “Director of civilian marksmanship: detail”, 4308 “Promotion of civilian marksmanship: authority of the Secretary of the Army”, 4310 “Rifle instruction: detail of members of Army”, and 4311 “Rifle instruction: issue of rifles and ammunition”.

1993—Pub. L. 103-35, title II, § 201(b)(2)(B), (g)(10)(B), May 31, 1993, 107 Stat. 98, 100, substituted “National Matches and small-arms school” for “Promotion of civilian marksmanship” in item 4313, struck out item 4316 “Military history fellowships”, and added item 4317.

1992—Pub. L. 102-484, div. A, title III, § 380(a)(2), (b)(2), (d)(2), title X, § 1076(b), Oct. 23, 1992, 106 Stat. 2390, 2391, 2512, added items 4308 and 4309 and struck out former items 4308 and 4309, resulting in no change in item 4308 and in substituting “availability” for “available” in item 4309, and added two items 4316.

Pub. L. 102-484, div. A, title III, § 380(c)(2), Oct. 23, 1992, 106 Stat. 2391, which directed amendment of item

4313 by striking out “rifle”, could not be executed because the word did not appear subsequent to amendment by Pub. L. 101-510. See 1990 Amendment note below.

1990—Pub. L. 101-510, div. A, title III, § 328(g)(2), Nov. 5, 1990, 104 Stat. 1534, added items 4308, 4309, and 4313 and struck out former items 4308 “Civilian rifle ranges: establishment; instruction”, 4309 “Rifle ranges: recommendations to Congress; regulations”, and 4313 “National rifle matches and small-arms school: expenses”.

1987—Pub. L. 100-180, div. A, title V, § 504(b), Dec. 4, 1987, 101 Stat. 1086, added item 4315.

1974—Pub. L. 93-365, title VII, § 708(a)(2), Aug. 5, 1974, 88 Stat. 407, added item 4314.

**§ 7401. Members of Army: detail as students, observers, and investigators at educational institutions, industrial plants, and hospitals**

(a) The Secretary of the Army may detail members of the Army as students at such technical, professional, and other civilian educational institutions, or as students, observers, or investigators at such industrial plants, hospitals, and other places, as are best suited to enable them to acquire knowledge or experience in the specialties in which it is considered necessary that they perfect themselves.

(b) An officer, other than one of the Regular Army on the active-duty list, who is detailed under subsection (a) shall be ordered to additional active duty immediately upon termination of the detail, for a period at least as long as the detail. However, if the detail is for 90 days or less, the officer may be ordered to that additional duty only with his consent and in the discretion of the Secretary.

(c) No Reserve of the Army may be detailed as a student, observer, or investigator, or ordered to active duty under this section, without his consent and, if a member of the Army National Guard of the United States, without the approval of the governor or other appropriate authority of the State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands of whose Army National Guard he is a member.

(d) The Secretary may require, as a condition of a detail under subsection (a), that an enlisted member accept a discharge and be reenlisted in his component for at least three years.

(e) The total length of details of an enlisted member of the Army under subsection (a) during one enlistment may not exceed 50 percent of that enlistment.

(f) At no time may more than 8 percent of the authorized strength in commissioned officers, 8 percent of the authorized strength in warrant officers, or 2 percent of the authorized strength in enlisted members, of the Regular Army, or more than 8 percent of the actual strength in commissioned officers, 8 percent of the actual strength in warrant officers, or 2 percent of the actual strength in enlisted members, of the total of reserve components of the Army, be detailed as students under subsection (a). For the purposes of this subsection, the actual strength of each category of Reserves includes both members on active duty and those not on active duty.

(g) Expenses incident to the detail of members under this section shall be paid from any funds appropriated for the Department of the Army.

(Aug. 10, 1956, ch. 1041, 70A Stat. 234, § 4301; Pub. L. 93-169, Nov. 29, 1973, 87 Stat. 689; Pub. L.

96-513, title V, §502(23), Dec. 12, 1980, 94 Stat. 2910; Pub. L. 100-456, div. A, title XII, §1234(a)(1), Sept. 29, 1988, 102 Stat. 2059; Pub. L. 109-163, div. A, title X, §1057(a)(9), Jan. 6, 2006, 119 Stat. 3441; renumbered §7401, Pub. L. 115-232, div. A, title VIII, §808(c)(1), Aug. 13, 2018, 132 Stat. 1839.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
4301(a) .....	10:535 (1st 75 words).	June 3, 1916, ch. 134,
4301(b) .....	10:535 (less 1st 75 words, and less provisos).	§127a (13th par.); added June 4, 1920, ch. 227, subch. I, §51 (13th par.); restated June 8, 1926, ch. 495; May 13, 1941, ch. 113; June 30, 1941, ch. 262 (4th proviso under "Finance Department"); restated June 19, 1948, ch. 501, §1, 62 Stat. 477.
4301(c) .....	10:535 (1st proviso).	June 19, 1948, ch. 501, §2, 62 Stat. 478.
4301(d) .....	10:535 (words of 2d proviso before semicolon).	
4301(e) .....	10:535 (words of 2d proviso after semicolon).	
4301(f) .....	10:535 (last proviso).	
4301(g) .....	10:535a.	

In subsection (a), the words "members of the Army" are substituted for the words "personnel of the Army of the United States, without regard to component".

In subsection (b), the words "is detailed under subsection (a)" are substituted for the words "receives such instruction". The words "as long as the detail" are substituted for the words "equal to the duration of his period of instruction". The words "However, if the detail is for" are substituted for the words "except that where the duration of such training is". The words "other than one of the Regular Army on the active list" are inserted, since members of the Regular Army on the active list are on continuous active duty. The word "additional" is inserted, since the detail under this section is active duty. The words "the officer may be ordered to that additional duty" are substituted for the words "such subsequent active duty may \* \* \* the officer concerned".

In subsection (c), the words "of whose Army National Guard he is a member" are substituted for the words "whichever is concerned".

In subsection (d), the words "as a condition of a detail under subsection (a)" are substituted for the words "prior to his detail pursuant to the provisions of this paragraph". The words "accept a discharge" are substituted for the words "be discharged".

In subsection (e), the words "during one enlistment" are inserted for clarity.

In subsection (f), the last sentence is substituted for 10:535 (words within parentheses of last proviso).

In subsection (g), the words "under this section" are substituted for 10:535a (9th through 41st words).

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4301 of this title as this section.

2006—Subsec. (c). Pub. L. 109-163 substituted "State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands" for "State or Territory, Puerto Rico, or the District of Columbia".

1988—Subsec. (c). Pub. L. 100-456 struck out "the Canal Zone," after "Puerto Rico,".

1980—Subsec. (b). Pub. L. 96-513 substituted "active-duty list" for "active list" in first sentence.

1973—Subsec. (b). Pub. L. 93-169 struck out provisions which limited to four years the maximum period for which an officer detailed for additional active duty upon termination of detail is required to serve.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and

special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

##### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as a note under section 101 of this title.

#### § 7402. Enlisted members of Army: schools

(a) So far as consistent with the requirements of military training and service, and under regulations to be prescribed by the Secretary of the Army with the approval of the President, enlisted members of the Army shall be permitted to study and receive instruction to increase their military efficiency and to enable them to return to civilian life better equipped for industrial, commercial, and business occupations. Part of this instruction may be vocational education in agriculture or the mechanic arts. Civilian teachers may be employed to aid Army officers in this instruction.

(b) Schools for the instruction of enlisted members of the Army in the common branches of education, including United States history shall be maintained at all posts at which members of the Army are stationed. The Secretary may detail members of the Army to carry out this subsection. The commander of each post where schools are maintained under this subsection shall provide a suitable room or building for school and religious purposes.

(Aug. 10, 1956, ch. 1041, 70A Stat. 235, §4302; renumbered §7402, Pub. L. 115-232, div. A, title VIII, §808(c)(1), Aug. 13, 2018, 132 Stat. 1839.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
4302(a) .....	10:1176.	June 3, 1916, ch. 134, §27
4302(b) .....	10:1172.	(last par.), 39 Stat. 186. R.S. 1231.

In subsection (a), the first 12 words are substituted for 10:1176 (1st 5, and last 18, words). The words "and the Secretary of the Army shall have the power at all times to suspend, increase, or decrease the amount of such instruction offered" are omitted as surplusage.

In subsection (b), the words "garrisons, and permanent camps" are omitted as covered by the word "posts". The word "including" is substituted for the words "and especially in". The word "members" is substituted for the words "officers and enlisted men". The words "as may be necessary", "It \* \* \* be the duty", and "or garrison" are omitted as surplusage.

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4302 of this title as this section.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.